M. GALE LEMMON #4363 Assistant Attorney General MARK L. SHURTLEFF #4666 Attorney General Attorneys for Utah Insurance Department State Office Building, Room 3110 Salt Lake City, UT 84114 Telephone (801) 538-3872

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT: : DEFAULT AND : DEFAULT ORDER

UTAH STATE INSURANCE DEPARTMENT

RESPONDENT:

DANA BRETT POLK 6119 Yocum Street Philadelphia, PA 19142 License No. 124391 Docket No. <u>2008-154-LC</u>

Enf. Case No. _2177_

DEFAULT

The date and time set for the hearing on the Order To Show Cause in this matter having come, and the Complainant having appeared by and through its counsel, M. Gale Lemmon, Assistant Attorney General, and the Respondent having failed to appear either in person or through counsel and having not contacted the department regarding appearance at this hearing, therefore, pursuant to Utah Code Annotated Section 63G-4-209, the Default of the Respondent is hereby entered.

DATED this 26 day of February, 2009.

D. KENT MICHIE INSURANCE COMMISSIONER

MARK E. KLEINFIELD, Esq.

DEFAULT ORDER

The Default of the Respondent having previously been entered, the presiding officer hereby adopts the allegations in the Order To Show Cause as his Findings of Fact and Conclusions of Law, and enters the following Order:

IT IS HEREBY ORDERED:

- 1. The insurance license of the Respondent, Dana Brett Polk, is hereby revoked forthwith.
 - 2. Respondent shall immediately cease doing any insurance business in the State of Utah.

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the filing of an action to enforce this Order in the District Court which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 24 day of February, 2009.

D. KENT MICHIE INSURANCE COMMISSIONER

MARK E. KLEINFIELD, Esq.

Presiding Officer

Utah Department of Insurance

State Office Building, Room 3110

Salt Lake City, Utah 84114

Telephone (801) 538-3800

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

DEFAULT & DEFAULT ORDER

LICENSE REVOKED

To the following:

Dana Brett Polk 6119 Yocum Street Philadelphia, PA 19142 &

DATED this 26th day of February, 2009.

Linda Hardy

Court Clerk

Utah Department of Insurance State Office Building, Room 3110 Salt Lake City, UT 84114-6901